



Australia

International Religious Freedom Report 2005

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The law provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 2.9 million square miles, and its population is 20 million. According to the 2001 census, 67 percent of citizens considered themselves to be Christian, including 26 percent Roman Catholic and 20 percent Anglican. Buddhists comprised 1.9 percent of the population, Muslims 1.5 percent, Hindus 0.5 percent, and Jews 0.4 percent; all others belonging to a religion constituted 0.5 percent.

At the time of European settlement, aboriginal inhabitants followed religions that were animistic, involving belief in spirits behind the forces of nature and the influence of ancestral spirit beings. According to the 2001 census, 5,244 persons or less than 0.03 percent of respondents reported practicing aboriginal traditional religions, down from 7,359 in 1996. The 1996 census reported that almost 72 percent of Aborigines practiced some form of Christianity, and 16 percent listed no religion. The 2001 census contained no comparable updated data.

During the first census, in 1911, 96 percent of citizens identified themselves as Christian. Traditional Christian denominations have seen their total number and proportion of affiliates stagnate or decrease significantly since the 1950s, although from 1996 to 2001 the total number of Christians increased 1.5 percent. Over the past decade, increased immigration from Southeast Asia and the Middle East considerably expanded the numbers of citizens who identify themselves as Buddhists and Muslims, and it expanded the ethnic diversity of existing Christian denominations. Between 1996 and 2001, the number of Buddhists increased from 199,812 to 357,813 persons, Muslims from 200,885 to 281,578, Jews from 79,800 to 84,000, and Hindus from 67,300 to 95,500. In 2001, approximately 15 percent of citizens considered themselves to have no religion, a 1.5 percent decrease from 1996. Missionaries work in the country; however, there are no current statistics available on their number.

Section II. Status of Religious Freedom

Legal/Policy Framework

The law provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full, and does not tolerate its abuse, either by governmental or private actors.

The Constitution bars the Federal Government from making a law that imposes a state religion or religious observance, prohibits the free exercise of religion, or sets a religious test for a federal public office. However, these federal constitutional prohibitions do not apply to the legislative powers of the states.

Religious adherents who have suffered religious discrimination may have recourse under federal discrimination laws or through the court system. However, a 1998 review by the independent federal Human Rights and Equal

Opportunity Commission (HREOC) found that federal laws did not adequately meet the country's obligations under the International Covenant on Civil and Political Rights and recommended that the Government enact a federal religious freedom act. In 2002, the Government stated that it would not do so.

During the period covered by this report, the HREOC did not report to Parliament on any religious discrimination cases involving a government agency. Under the provisions of the Federal Racial Discrimination Act, the HREOC mediates a complaint when a plaintiff's religious affiliation is considered tantamount to membership in an ethnic group. During the 12-month period ending June 30, 2004, the Commission received 11 employment-related complaints alleging discrimination on religious grounds. Another federal law, the Workplace Relations Act, prohibits termination of employment on the basis of religion.

The State of Tasmania is the only state or territory whose constitution specifically provides citizens with the right to profess and practice their religion. However, seven of the eight states and territories have laws prohibiting discrimination on the basis of a person's religion or ethno-religious background. South Australia is the only jurisdiction that does not explicitly prohibit discrimination on the grounds of religion. All jurisdictions, apart from South Australia, have established independent agencies to mediate allegations of religious discrimination.

Minority religions generally are given equal rights to land, status, and the building of places of worship. However, in the past, a number of small city councils had refused their local Muslim and Buddhist communities planning permits to construct places of worship. Those religious communities successfully appealed the councils' decisions to the courts. For instance, in November 2004, more than 200 Muslims gathered to celebrate the opening of a western Sydney Islamic prayer center, which had been subject to a construction delay because the local council had refused the developers a planning permit in 2003, reportedly deeming the center to be incompatible with local community beliefs.

Religious groups are not required to register.

The Government has put in place extensive programs to promote public acceptance of diversity and multicultural pluralism, although none are focused specifically on religion.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor United States citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom. Several nongovernmental organizations promote tolerance and better understanding among religions in the country, both indigenous and nonindigenous. These groups include the Columbian Center for Christian-Muslim Relations, the National Council of Churches in Australia and its affiliated Aboriginal and Islander Commission, and the Australian Council of Christians and Jews.

In 2003, in response to an increase in anti-Islamic sentiment, the HREOC undertook a project involving national consultations on eliminating prejudice against Arab and Muslim citizens. As part of the consultations, the Commission considered whether Muslim citizens shared an ethnic origin or race, as well as a religion, which would entitle them to comprehensive protection under the Federal Race Discrimination Act. The Commission's report, made public in June 2004, contained no findings on the racial status of Arab and Muslim citizens. However, it called on the Government to extend the coverage of anti-discrimination legislation to encompass religion.

In 2004, the Executive Council of Australian Jewry recorded 425 anti-Semitic incidents, which ranged from physical violence and property damage (25 reports) to the dissemination of anti-Semitic media (261 reports), compared to a

total of 481 incidents in 2003. These numbers reflect a decline in anti-Semitic incidents after peaking in 2002 following a gradual increase over the past 15 years (the annual average being 279 incidents). The Federal Parliament and several state parliaments condemned racism against the Jewish community following the release of the Council's 2004 report.

In August 2004, three persons associated with the neo-Nazi Australian Nationalist Movement (ANM) were convicted for several graffiti attacks in February of that year on Jewish institutions in the Western Australia capital city, Perth. The ANM leader was arrested as well for criminal damage and conspiracy to cause arson. In January 2005, he pleaded not guilty to the charges and, following a brief appearance in June 2005, the case was adjourned until October 2005.

In December 2004, the Victorian Civil and Administrative Tribunal upheld a complaint made by the Islamic Council of Victoria (ICV) alleging that two persons associated with Catch the Fire, a Christian group, had presented material that was "essentially hostile, demeaning, and derogatory" to Muslim persons and of Muslim religious beliefs and practices. In April 2005, a higher court rejected the defendants' attempt to stop the judge from issuing the tribunal's orders. In June 2005, the judge ordered the defendants to publish apologies on their group's website and in newspapers, which was estimated to cost \$52,900 (A68,690), and to give an undertaking that they would not repeat their comments in the future. The judge did not issue an order for compensation, which was sought by the ICV. The defendants indicated that they would appeal the tribunal's decision. An ICV spokesman stated that although the remedies were light, the Council was satisfied with the orders. Lawyers for the defendants argued that the complaint was outside the tribunal's jurisdiction, asserting that the State of Victoria's Racial and Religious Tolerance Act of 2001 infringed on the defendants' constitutional right of freedom of expression.

Following the 2002 terrorist attack in Bali, Indonesia, and the initiation of military operations in Iraq in 2003, reports of threats of violence and vandalism against religious properties in all state and territory capital cities increased temporarily. Government and religious leaders called for tolerance toward minority groups and criticized vandalism of religious properties. Police forces in all states offered increased protection to religious leaders and increased patrols of religious properties. Reports of violence and vandalism against religious property declined over the period covered by this report.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its policy to promote human rights.

The U.S. Embassy in Canberra and the U.S. Consulates General in Perth, Melbourne, and Sydney continued to conduct a nationwide outreach program aimed at promoting dialogue among all faiths. The outreach included senior-level participation in multiple Iftar events. In December 2004, the Australian Intercultural Society (AIS) presented its 2004 Peace Award for Inter-faith Relations to Consulate General Melbourne for its contribution to harmonious multicultural relations through its outreach during Ramadan to the local Islamic community.

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